



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 3297-00
31 October 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 31 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 18 September 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-815
18 Sep 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-OOZCB

Subj: BCNR PETITION ICO A [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 25 Apr 00
(b) NAVADMIN 132/99
(c) OPNAVINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of the petitioner's request.

- The petitioner was discharged from active naval service on 11 May 1999 after 9 years 10 months and 29 days of service.

- The petitioner received BUPERS orders 0012 on 10 June 1999 for recall to active duty in support of KOSOVO operations for up to 270 days. The petitioner served the recall on active duty for a total of two months from 15 June 1999 to 18 August 1999. This additional two month enlistment increased the petitioner's active service from nine years to 10 years and 29 days of service.

- The petitioner re-enlisted (NAVET) on 28 January 2000 after five months discharge from active service. Reference (b) listed a zone "B" SRB entitlement for the AW(7815) rate/NEC at the time the petitioner re-enlisted.

- The petitioner requests to receive a zone "B" broken service SRB entitlement offered in reference (b). The petitioner states that he was pushed out of the zone "B" window due to the BUPERS orders 0012 recall. Per reference (c), the zone "B" window is for six years to 10 years active service.

2. In view of the above, recommend the petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

A. F. CANTRELL, JR.
Head,

Reenlistment Incentives Branch